#### NO. 6039

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PATENT

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF:

JEFFERY SCOTT THOMPSON ET. AL.

CASE NO.: CH2750USDIV1

APPLICATION NO.: 10/810400

GROUP ART UNIT: 1795

FILED: MARCH 26, 2004

EXAMINER: PHASGE, ARUN S.

FOR: LOW TEMPERATURE ALKALI METAL ELECTROLYSIS

### RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

Responsive to the 08/01/2008 Notice of Non-Compliant Amendment (37 CFR 1.121), Applicants submit the following amendment.

Amendment to the claims begins at page 2.

The remarks submitted and filed are resubmitted herewith at page 9.

This amendment cancels claims 42-43 and adds no new claims.

Please note in the foregoing amendments that insertions to the claims are identified by underlining and deletions are identified by strikethrough. No new matter is introduced.